

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 (oracle01.016)

5 **Applicant:** Bipul Binit Sinha et al. **Paper No.:** 12
 Application No: 09/881,505 **Group Art Unit:** 2171
 10 **Filed:** 6/14/01 **Examiner:** LeRoux, Etienne
 Pierre

Title: *Two-stage commit with queryable caches*

15 Commissioner for Patents
 Alexandria, VA 22313-1450

Response to a non-final Office action under 37 C.F.R. 1.111

20 **Status of the prosecution**

A Notice of Appeal was filed in this application on 4/17/06 and an Appeal Brief was filed on 6/15/2006; prosecution was reopened and a non-final Office action was mailed on 9/6/06. In that Office action, Examiner rejected claim 11 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, under 35 U.S.C. 112, second paragraph as indefinite, and under 35 U.S.C. 101 as directed to
 25 non-patentable subject matter. Examiner further rejected claims 2-31 under 35 U.S.C. 103(a) as being unpatentable over the combination of Lampson and U.S. Patent 6,538,668, Ruberg, et al., *Distributed settings control protocol*, filed 4/9/99 and issued 3/25/03. Applicants are traversing the rejections.

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Traversal

The rejection of claim 11 for lack of enablement under 35 U.S.C. 112, first paragraph

Claim 11 reads as follows. Reference numbers refer to FIG. 4:

1 **11.** A method practiced in a first component of a distributed system
 2 that exchanges messages (403) belonging to a transaction with one or
 3 more other components of the distributed system of optimizing a
 4 protocol, the protocol being employed by the first component and the
 5 other component in making the transaction, the first component being
 6 a coordinator for the protocol, and